

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DONALD M. BUTLER, and BETTY BUTLER,

Plaintiffs,

V.

CRAIG E. HOWE, DAVID LOVEKIN,
NICHOLAS G. BIANCOVDO, BYNUM
TRANSPORT, JERRY C. AMES,
RONNIE DOWDY, and BETTER BUILT
CONSTRUCTION,

Defendants.

8:04CV61

ORDER

The matter before the court is the parties' joint stipulation for dismissal of defendant Craig Howe's counterclaim against plaintiffs without prejudice, Filing No. 156. No objection has been filed to the stipulation for dismissal of the counterclaim.

IT IS THEREFORE ORDERED that, pursuant to Fed. R. Civ. P. 41(c), the defendant Craig Howe's counterclaim against plaintiffs is hereby dismissed without prejudice, and with the parties to be responsible for their own costs and attorney fees.

DATED this 1st day of July, 2005.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge